

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Derek Logue,

Plaintiff(s),

vs.

U.S. Marshals, et al.,

Defendant(s).

:
:
:
:
:
:
:
:
:
:
:

Case Number: 1:13cv348

Chief Judge Susan J. Dlott

ORDER

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Stephanie K. Bowman filed on August 1, 2013 (Doc. 8), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired August 19, 2013, hereby ADOPTS said Report and Recommendation.

Accordingly, the amended complaint is **DISMISSED** for failure to state a claim upon which relief may be granted to the extent that plaintiff has named the United States Department of Justice as a defendant and seeks to bring a class action on behalf of other persons “similarly situated”, a claim for relief under 42 U.S.C. §14141; a civil rights claim under *Bivens* and/or 42 U.S.C. 1983 based on the allegation that the May 22, 2012 compliance check was conducted in a militaristic and “very threatening, aggressive and frightening matter,” and a claim challenging the constitutionality of the registration and notification provisions contained in the AWA, as codified in Ohio. *See* 28 U.S.C. §1915(e)(2)(B).

IT IS SO ORDERED.

s/Susan J. Dlott
Chief Judge Susan J. Dlott
United States District Court